

IN RE: PETITION FOR ZONING VARIANCE  
W/S Beaver Dam Road, 3,821 feet north of c/l Beaver Court 10604-12 Beaver Dam Road 8th Election District 3rd Councilmanic District  
Russell L. Elliott, Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 93-137-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter is before the Deputy Zoning Commissioner as a Petition for Zoning Variance filed by the legal owner of the subject property, Russell L. Elliott, by and through his attorney, Keith R. Truffer. The Petitioner requests several variances from Section 255.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit: (1) a side yard setback of 24 feet on the north side of the building located on that which is marked as Lot 1 on Petitioner's Exhibit "1"; (2) a side yard setback of 25 feet on the south side of the building located on that which is marked as Lot 1 on Petitioner's Exhibit "1", both in lieu of the required 30 feet. The Petitioner also seeks to amend the site plan for the subject property in Case No. 89-314-A to establish a sideyard variance of 22 feet in lieu of the required 30 feet on the south side of the building located on that which is marked as Lot 2 on Petitioner's Exhibit "1".

A hearing on the requested variances was held on December 4, 1992. Appearing on behalf of the Petitioner was Russell L. Elliott and Mr. Timothy Madden, land planner. The Petitioner was represented by Keith R. Truffer, Esq. There were no protestants.

Testimony indicated that the subject property, known as

10604-12 Beaver Dam Road, consists of approximately 2.4 acres, zoned ML-IM and is improved by two separate office/warehouse buildings. The property has been divided on petitioner's Exhibit "1" into two lots. Lot 1 is located on the northern part of the parcel and consists of approximately 1.6 acres. Lot 2 is located on the southern part of the parcel and consists of approximately .8 acres. The property was the subject of prior Case No. 89-314-A in which a variance was granted to permit side and rear yard setbacks of 2 feet each in lieu of the required 30 feet on the southernmost property line. The Petitioner filed the instant Petition as part of a subdivision of the property into two parcels. Mr. Elliott has entered into a contract for the sale of Lot 2 contingent upon the obtention of the requested variances.

Petitioner's Exhibit "1", and testimony supporting that Exhibit, indicates that a vestibule attached to the office/warehouse building on Lot 1 encroaches into the sideyard setback along the northern property line, reducing the setback to 24.46 feet. A similar vestibule on the southern side of the building on Lot 1 encroaches into the side yard setback created by the proposed line of subdivision, leaving a setback of approximately 25.45 feet. The main face of the building on Lot 1 does not encroach into either side yard setback.

The southwestern most corner of the office/warehouse building located on Lot 2 of Petitioner's Exhibit "1", is located approximately 22.29 feet from the southern property line. The Petitioner seeks to amend the prior granted variance

in Case No. 89-314-A so as to permit the existing side yard setback of 22.29 feet in lieu of the required 30 feet.

The testimony indicated that the Petitioner has and will experience practical difficulty in attempting to sell his property unless the requested variances are granted so as to permit the division of the property into two parcels.

The Baltimore County Office of Planning & Zoning has submitted a comment on the Petitioner's requested variance. The comment recommends approval of the request, but suggests that "a 15 foot landscaped buffer along the light rail line" should be addressed on the landscape plan "to promote a pleasant riding experience." In response to this comment, the Petitioner presented the testimony of Mr. Timothy Madden, a landscape planner.

Mr. Madden indicated that the subject property has not been identified as the location of the proposed light rail line. There has been no filing of any condemnation proceedings to acquire this property for the light rail project. Several locations other than this property have been proposed in the area for the light rail line. Finally, the funding of any extension of a light rail line through this area is currently uncertain. Mr. Madden further testified that the buildings on the subject property have been in existence prior to the establishment of the landscape regulations. The instant Petition for Variance seeks only a lot line adjustment and no new development.

An area variance may be granted where the strict application

of the zoning regulations would cause practical difficulty to the Petitioner and his property McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- (1) whether strict compliance with the requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- (2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- (3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After reviewing all of the testimony and evidence presented, it appears that the Petitioner will experience practical difficulty if the requested variances are denied. The buildings located on the subject property have been in existence for some time, without apparent problem. The requested encroachment into the side yard setbacks is minimal and is in conformity with the spirit and intent of the Baltimore County Zoning Regulations. Pursuant to the advertisement, posting of the property, and public hearing on this Petition, and for the reasons given above, the relief requested in the Petition for Variance should be granted. Based on the testimony presented, no additional landscaping will be required.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 8th day of December, 1992, that the

-2-

-3-

-4-

Petition for Variance to permit side yard setbacks of 24 feet on the north side and 25 feet on the south side in lieu of the required 30 feet, and the amendment of the site plan in Case 89-314-A to establish a permitted side yard setback of 22 feet in lieu of the required 30 feet, in accordance with the Petitioner's Exhibit "1" are hereby granted, subject to the following restrictions:

- (1) The Petitioner is hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this order has expired. If, for whatever reasons, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- (2) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner for  
Baltimore County

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

Keith R. Truffer, Esquire  
102 West Pennsylvania Avenue, Suite 600  
Towson, Maryland 21204

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
W/S Beaver Dam Road, 3821' W of the c/l of Beaver Court (10610-10612 Beaver Dam Road)  
8th Election District - 3rd Councilmanic District  
Russell L. Elliott - Petitioner  
Case No. 93-137-A

Dear Mr. Truffer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3351.

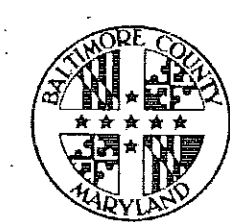
Very truly yours,

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: People's Counsel

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10610-12 Beaver Dam Road  
which is presently zoned ML-IM

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 255.1 to allow side yard setbacks of 24' on the north and 25' on the south in lieu of the required 30' and a special hearing to amend site plan in case 89-314-A to reduce side yard variance to 22' in lieu of the required 30'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See attached statement

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Owner:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner: Mr. Robert Handzo

c/o Royston, Mueller, McLean & Reid

(Type or Print Name)

Signature

Address

City

State

Zipcode

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Mr. Russell L. Elliott

(Type or Print Name)

Signature

(Type or Print Name)

Signature

(Type or Print Name)

Signature

(Type or Print Name)

Signature

(Type or Print Name)

Signature

(Type or Print Name)

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(Type or Print Name)

Signature

(Type or Print Name)

MORRIS & RITCHIE ASSOCIATES, INC.  
ENGINEERS, PLANNERS, SURVEYORS,  
AND LANDSCAPE ARCHITECTS



93-137-A  
STATEMENT OF JUSTIFICATION

On behalf of the landowner, Mr. Russell L. Elliott, we hereby request that the Zoning commissioner grant a variance from the required side yard setback from building face to property line in an "ML" Zoning District, to allow side yard setbacks of 24 feet on the north side and 25 feet on the south side in lieu of the required 30 feet for the 10610-12 building. We base this request upon the following reasons which create a practical difficulty:

1. Strict compliance with the Zoning Regulations would not permit the subdivision of this one Lot, which includes two separate buildings, due to the fact that less than the required 60 ft. distance between the two existing buildings exists to create two lots with the required 30 ft. side yards. The two buildings cannot be sold together on one lot, but they can be sold separately if they were on separate, legal Lots. Therefore, a variance is required for the petitioner to make reasonable use of his properties through sale.
2. Strict compliance with the side yard requirement unreasonably prevents creation of two, salable lots on the subject property thereby preventing a permitted use of the applicant's property. In addition, conformance with the setback requirements would be unnecessarily burdensome as set forth above.
3. The relief requested is well within the bounds of precedence. Much greater relief of the side yard in an "ML" District has been granted in other cases.
4. The granting of the variance remains within the spirit and intent of the regulations. The relationship between the two buildings presents no safety hazards or poor conditions now. The granting of the variance will not alter an existing, acceptable condition. Public safety and welfare remain protected.

13010 MAIN STREET, 2ND FLOOR  
BETHESDA, MARYLAND 20814  
(410) 887-1600 (410) 887-2544  
FAX (410) 887-1600

13010 MAIN STREET, 2ND FLOOR  
BETHESDA, MARYLAND 20814  
(410) 887-1600 (410) 887-2544  
FAX (410) 887-1600

5000 JUNE HUNTER DRIVE, SUITE 9  
ANNEAPOLIS, MARYLAND 20701  
(410) 291-7400 (410) 291-4370  
FAX (410) 291-7395

ORDER RECEIVED FOR FILING  
Date 10/23/92  
By [Signature]

-5-

93-137-A 142

# ZONING DESCRIPTION

BEGINNING at a point on the southwest side of Beaver Dam Road, 70 feet wide, at the distance of 382.00 feet measured northwesterly from the centerline of Beaver Court, 70 feet wide. Thence the following courses and distances:

South 32° 05' 17" East 32.59 feet, South 53° 34' 58" West 3.46 feet, South 36° 25' 02" East 118.00 feet, North 53° 34' 58" East 2.94 feet, South 36° 36' 19" East 18.28 feet, By a curve to the right with a radius of 2,823.79 feet and an arc length of 27.29 feet, South 04° 09' 01" East 5.81 feet, South 34° 49' 30" East 97.56 feet, North 55° 15' 53" East 2.96 feet, By a curve to the right with a radius of 2,823.79 feet and an arc length of 100.85 feet, South 01° 19' 42" West 22.47 feet, North 84° 49' 07" West 578.02 feet, North 15° 58' 07" West 36.30 feet, and North 53° 40' 53" East 445.67 feet to the place of beginning.

CONTAINING 2.417 acres of land, more or less.

BEING known as 10604-06 and 10610-12 Beaver Dam Road and located in the Eighth Election District.



*George T. Keller*  
George T. Keller  
Registered Property Line Surveyor #67

142

## CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 7th Date of Posting: 11/2/92  
Posted for: Variance  
Petitioner: Russell L. Elliott  
Location of property: W/S Beaver Dam Rd. (10610-12), 382'  
Location of Signs: Beaver Dam Rd. for 1/2 mi. S. of intersection  
Remarks: None  
Posted by: William J. Handzo Date of return: 11/2/92  
Number of Signs: 1

## CERTIFICATE OF PUBLICATION

TOWSON, MD. 11/5, 1992  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11/5, 1992

THE JEFFERSONIAN,

*S. Zake Orlean*  
S. Zake Orlean  
Publisher

Baltimore County  
Zoning Administration &  
Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

Date: 93-137-A Number: 142  
Account: R-001-6150  
10/28/92  
PUBLIC HEARING FEES: QFY PRICE  
\$250.00  
LAST NAME OF OWNER: ELLIOTT  
TOTAL: \$250.00  
D4A04#0123M1CHRC \$250.00  
84 001147A10-22-92  
Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County  
Zoning Administration &  
Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

Date: 93-137-A Number: 142  
Account: R-001-6150  
12-4-92 HEARING  
PUBLIC HEARING FEES: QFY PRICE  
\$250.00  
LAST NAME OF OWNER: ELLIOTT  
TOTAL: \$250.00  
D4A04#0123M1CHRC \$250.00  
84 001139A11-16-92  
Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

DATE: 11-6-92

Russell L. Elliott  
65 W. Tinsmith Road  
Towson, Maryland 21204

RE:  
CASE NUMBER: 93-137-A (Item 142)  
W/S Beaver Dam Road, 382' N of c/l Beaver Court  
10610-12 Beaver Dam Road  
8th Election District - 3rd Councilmanic  
Petitioner(s): Russell L. Elliott  
HEARING: FRIDAY, DECEMBER 4, 1992 at 9:00 a.m. in Rm. 106, Office Building.

Dear Petitioner(s):

Please be advised that \$ 67.11 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SIGN(S) RETURNED ON THE DAY OF THE HEARING OR THE OWNER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SIGN(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 106, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

*Carl J. Jahn*  
Carl J. Jahn  
DIRECTOR

cc: Robert Handzo, Esq.

Printed on Recycled Paper

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

OCT. 29 1992

(410) 887-3353

## NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

at Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-137-A (Item 142)  
W/S Beaver Dam Road, 382' N of c/l Beaver Court  
10610-12 Beaver Dam Road  
8th Election District - 3rd Councilmanic  
Petitioner(s): Russell L. Elliott

HEARING: FRIDAY, DECEMBER 4, 1992 at 9:00 a.m. in Rm. 106, Office Building.

Variance to allow side yard setbacks of 24 feet on the north and 25 feet on the south in lieu of the required 30 feet and to amend site plan in case #93-137-A to reduce side yard variance to 22 feet in lieu of the required 30 feet.

*Lawrence E. Schmidt*  
Lawrence E. Schmidt

Zoning Commissioner of  
Baltimore County

cc: Russell L. Elliott  
Timothy F. Madden  
Robert Handzo, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

November 23, 1992

(410) 887-3353

Robert Handzo, Esquire  
c/o Royston, Mueller, McLean & Reid  
102 W. Pennsylvania Ave.  
Towson, MD 21204

RE: Case No. 93-137-A, Item No. 142  
Petitioner: Russell L. Elliott  
Petition for Variance

Dear Mr. Handzo:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 23rd day of October, 1992.

*Carl J. Jahn*  
ARNOLD JARLON  
DIRECTOR

Received By:  
*W. Carl Richards Jr.*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Russell L. Elliott

Petitioner's Attorney: Robert Handzo

DPW/Developers Engineering Division (Public Services)  
Development Review Committee Response Form  
Authorized signature: *Thomas A. Kennedy*

11/09/92

Date: 11/9/92

File Number	Waiver Number	Zoning Issue	Meeting Date
✓ Steven and Nadine Mosgin	129		11-8-92 NC
Edward L. And Linda M. Gittings	134		comment
✓ Kathleen Gaiser	133		NC
Charles E. Anderson	138		comment
✓ Richard E. Shetrone Jay E. Boyd	137		NC
Fred C. and Soung O. Yoo	138		comment
✓ John and Barbara Taylor	139		NC
✓ Jose and Janice S. Lopez	141		NC
✓ Russell L. Elliott	142		NC
✓ Nick J. and Koula I. Proakis	143		NC
✓ Daniel T. and Sharon L. Wolfrey	144		NC
✓ Mark N. and Deborah A. Cleaver	145		NC



Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

Ms. Julie Winiarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: +142 (LJG)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact David Ramsey at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

David Ramsey 10/31/92  
John Contestabile, Chief  
Engineering Access Permits  
Division

Recd 11/5/92

My telephone number is \_\_\_\_\_

Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration &  
Development Management  
FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning  
SUBJECT: Elliott Property

DATE: November 16, 1992

INFORMATION:

Item Number: 142

Petitioner: Russell L. Elliott

Property Size: 0.8 acres

Zoning: ML-1M

Requested Action: Variance

Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

The petitioner is seeking a variance to allow side yard setbacks of 24' on the north side and 25' on the south side in lieu of the required 30'. The petitioner is also requesting a special hearing to amend the site plan in case 89-314A to reduce the side yard variance to 22' in lieu of the required 30'.

The Office of Planning and Zoning recommends APPROVAL of the petitioner's request subject to the following conditions.

This site is devoid of any landscaping. A landscape plan should be submitted for approval by the County's landscape architect. The Baltimore County Landscape Architect would be willing to work with the petitioner before the hearing with the Zoning Commissioner. This site is located adjacent to the Central Light Rail Line. The Hunt Valley/Timonium Redevelopment Study, to be submitted to the Planning Board on November 19, 1992, expresses the goal of creating a 15 foot landscaped buffer along the light rail line to promote a pleasant riding experience. This issue should be addressed on the landscape plan.

Prepared by: Francis Morley

Division Chief: \_\_\_\_\_

EMcd/FM:rdm

142. ZAC/ZAC1

DPW/Traffic Engineering  
Development Review Committee Response Form  
Authorized signature \_\_\_\_\_ Date 11/9/92

Project Name	Waiver Number	Zoning Issue	Meeting Date
Steven and Nadine Mosgin	129	N/C	11-2-92
Edward L. And Linda M. Gittings	134	MT	
Kathleen Gaiser	135	N/C	
Charles E. Anderson	136	N/C	
Richard E. Shetrone Jay E. Boyd	137	N/C	
Fred C. and Soung O. Yoo	138	N/C	
John and Barbara Taylor	139	N/C	
Jose and Janice S. Lopez	141	N/C	
Russell L. Elliott	142	N/C	
Nick J. and Koula I. Proakis	143	N/C	
Daniel T. and Sharon L. Wolfrey	144	N/C	
Mark N. and Deborah A. Cleaver	145	N/C	

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21204-5500

NOVEMBER 16, 1992

(410) 887-4500

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: RUSSELL L. ELLIOTT

Location: #10610-12 BEAVER DAM ROAD

Item No.: +142(LJG) Zoning Agenda: NOVEMBER 2, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Capt. James J. Griffin Noted and Approved [Signature]  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JP/KEK

93-137-A 12-4

Department of Environmental Protection & Resource Management  
Development Review Committee Response Form  
Authorized signature \_\_\_\_\_ Date 11-24-92

Project Name	Waiver Number	Zoning Issue	Meeting Date
Fred C. and Soung O. Yoo	138	11-2-92	NO COMMENTS
John and Barbara Taylor	139	NO COMMENTS	
Jose and Janice S. Lopez	141	NO COMMENTS	
Russell L. Elliott	142	NO COMMENTS	
Nick J. and Koula I. Proakis	143	IN PROCESS	
Daniel T. and Sharon L. Wolfrey	144	NO COMMENTS	
Mark N. and Deborah A. Cleaver	145	NO COMMENTS	
Mike and Patricia Siano	146	NO COMMENTS	
Dorothy and Randall Pettie	147	IN PROCESS	

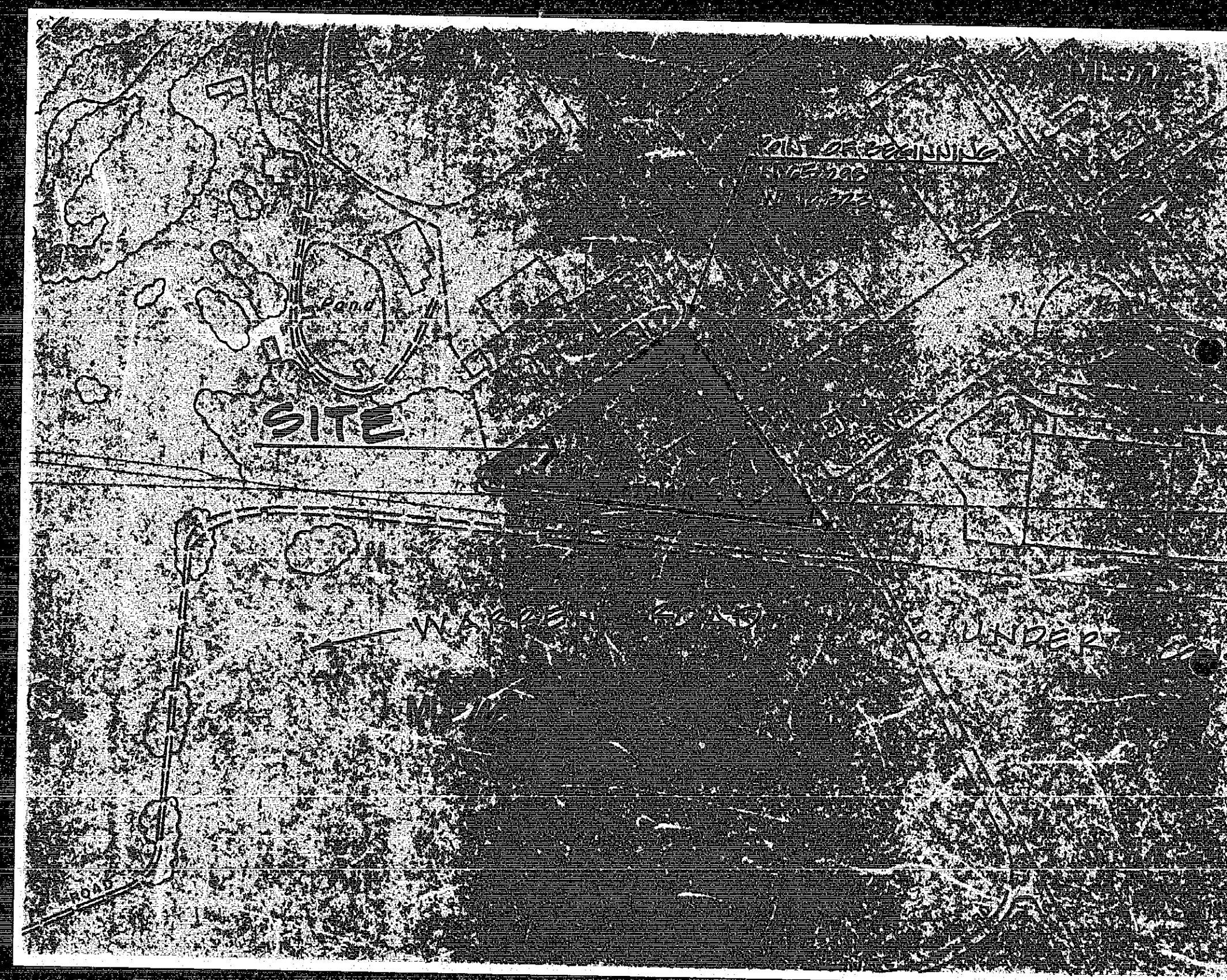
COUNT 14

Anthony J. and Susan M. DiBartolomeo	140	11-9-92	WRITTEN COMMENTS
Irving R. and Joyce L. Bauer	149	WRITTEN COMMENTS	
Andrew I. David	150	WRITTEN COMMENTS	

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
KATHY TRUFFEL	102 W. Penn. Ave. Towson MD. 21204
TIM MADDEN	MRA, 6060 BOSLEY AVE. Towson 21204
FRANCIS L. MATOSKY	10604 BEAVER DAM RD. 21030
GABRIEL M. CHAPLOW	120 E BALTIMORE ST. 21202
Donald R. Elliott	165 W. Timonium Rd. 21093
Rob Humber	102 W. Penn. Ave. Towson MD 21204



031

Board of  
Estimation

METROPOLITAN  
INDUSTRIAL  
PARK

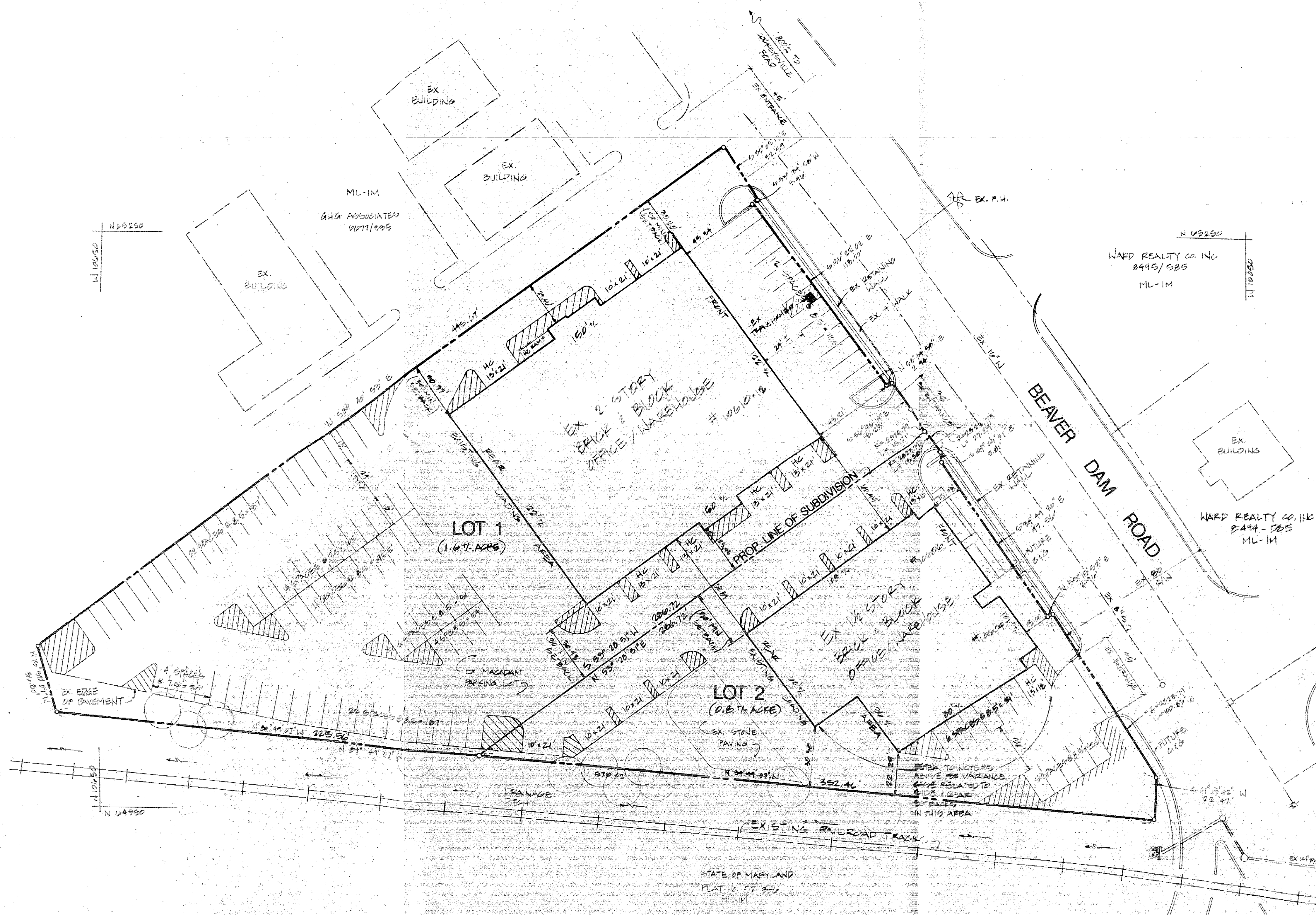
COCKEYSVILLE

BEAVER DAM LAKE

SITE

COCKEYSVILLE ROAD  
INDUSTRIAL PARK

1" = 1000'

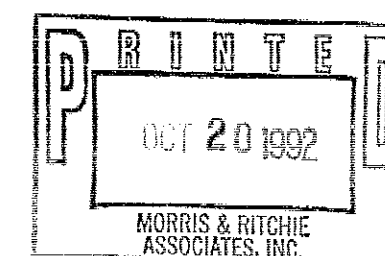


## SITE DATA AND NOTES

1. Owner: Russell L. Elliott  
65 W. Timonium Road  
Timonium, MD 21093  
(410) 262-4453
2. Property Address: 10604-06 Beaver Dam Road  
16010-12 Beaver Dam Road
3. Election District: 8
4. Councilmanic District: 3
5. Zoning Case History:  
Case No. 89-314-A  
10604-06 Beaver Dam Road  
Variance to permit side and rear yard setbacks of 2 feet each in lieu of the required 30 feet for a proposed addition granted April 7, 1999. (The addition has not been constructed as of this date).
6. Current Zoning: M-1M
7. Adjacent Zoning: M-1M, M-2M
8. Limited Exemption: DHD File No. 821632  
A "limited exemption" from the Division 2 Development Regulations (Section 26-171 (A) (B)) was granted on June 15, 1992.
9. Waiver of CRG: A waiver of CRG (W-87-29) was granted in conjunction with Variance Case No. 89-314-A.
10. Zoning Map No: 17-B (Cockeysville)
11. Area of Tract: 2.4 +/- acres existing.  
Proposed Subdivision  
Lot 1: 1.6 +/- acres  
Lot 2: 0.8 +/- acres
12. Highway widening and construction projects:  
a. The widening of Beaver Dam Road and Warren Road has or will occur under SHA Contract No. B-802-901-472 and B-802-902-472, and Right-of-Way Project No. B-802-961-472.  
b. The Beaver Dam Road and Warren Road right-of-way shown on this plan reflect the ultimate land acquisition and roadway widening improvements to be made along the frontage of the property as part of the road construction projects.  
c. The building to lot line (required 25 foot front yard) for 10604-06 Beaver Dam Road is less than the required due to the reduction caused by the widening of Beaver Dam Road.
13. Public water and sewer are provided in Beaver Dam Road. No new utility connections are allowed for the proposed subdivision.
14. No signs are proposed as part of this variance request.
15. Floor area ratio computations (Maximum of 0.60 allowed, maximum 50% building coverage)  
a. 10610-12 Beaver Dam Road  
Floor area: 29,670 +/- S.F. (Combined floors)  
Lot area: 71,840 +/- S.F.  
Floor area ratio = 0.40 +/-  
b. 10604-06 Beaver Dam Road  
Floor area: 10,530 +/- S.F.  
Lot area: 34,626 +/- S.F.  
Floor area ratio = 0.30 +/-
17. Off-street parking:  
a. Lot 1: 10610-12 Beaver Dam Road  
Parking required  
Office: 3.3 spaces/1000 S.F.  
20,000 S.F. Office: 20 x 3.3 = 66 spaces  
Warehouse: 1 space/employee  
8 employees (largest shift) = 5 spaces  
Total parking required: 71 spaces  
Parking provided  
19 small (compact) spaces  
80 regular spaces  
= 99 handicapped spaces (5 provided)  
103 total provided (excess parking provided = 32 spaces)  
b. Lot 2: 10604-06 Beaver Dam Road  
Parking required  
Office: 3.3 spaces/1000 S.F.  
1500 S.F. office: 1.5 x 3.3 = 4.95  
Warehouse: 1 space/employee  
3 employees (largest shift) = 3 spaces  
Total parking required: 8 spaces  
Parking provided  
19 regular spaces  
= 2 handicapped spaces (minimum of 1 required)  
21 total provided (excess parking provided = 13 spaces)
18. Setback and building heights in AM, L and N zones.  
a. Minimum setbacks (same as B.R. zone)  
25 feet to front property line and not less than 50 feet from the center line of any other street. 30 feet side and rear yards.  
b. Height unlimited except that no building erected on a lot which abuts a residence or business zone shall exceed a height of 40 feet or 3 stories.
19. Public water and sewer are provided in Beaver Dam Road. No new utility connections are allowed for the proposed subdivision.
20. The proposed subdivision is shown on the attached plat.
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HOUSE TEACHERS  
PROPERTIES NG.  
5499/656  
ML-IM

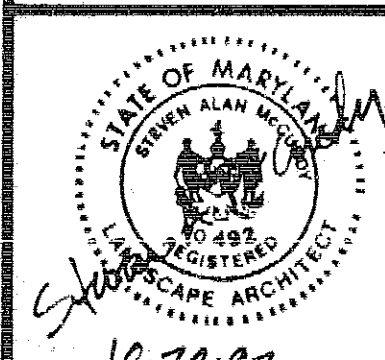
Petitioner's Ex #1



**MORRIS & RITCHIE ASSOCIATES, INC.**

ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS

606-D Bosley Avenue  
Towson, Maryland 21204  
(301) 821-1690  
Fax: (301) 821-1748

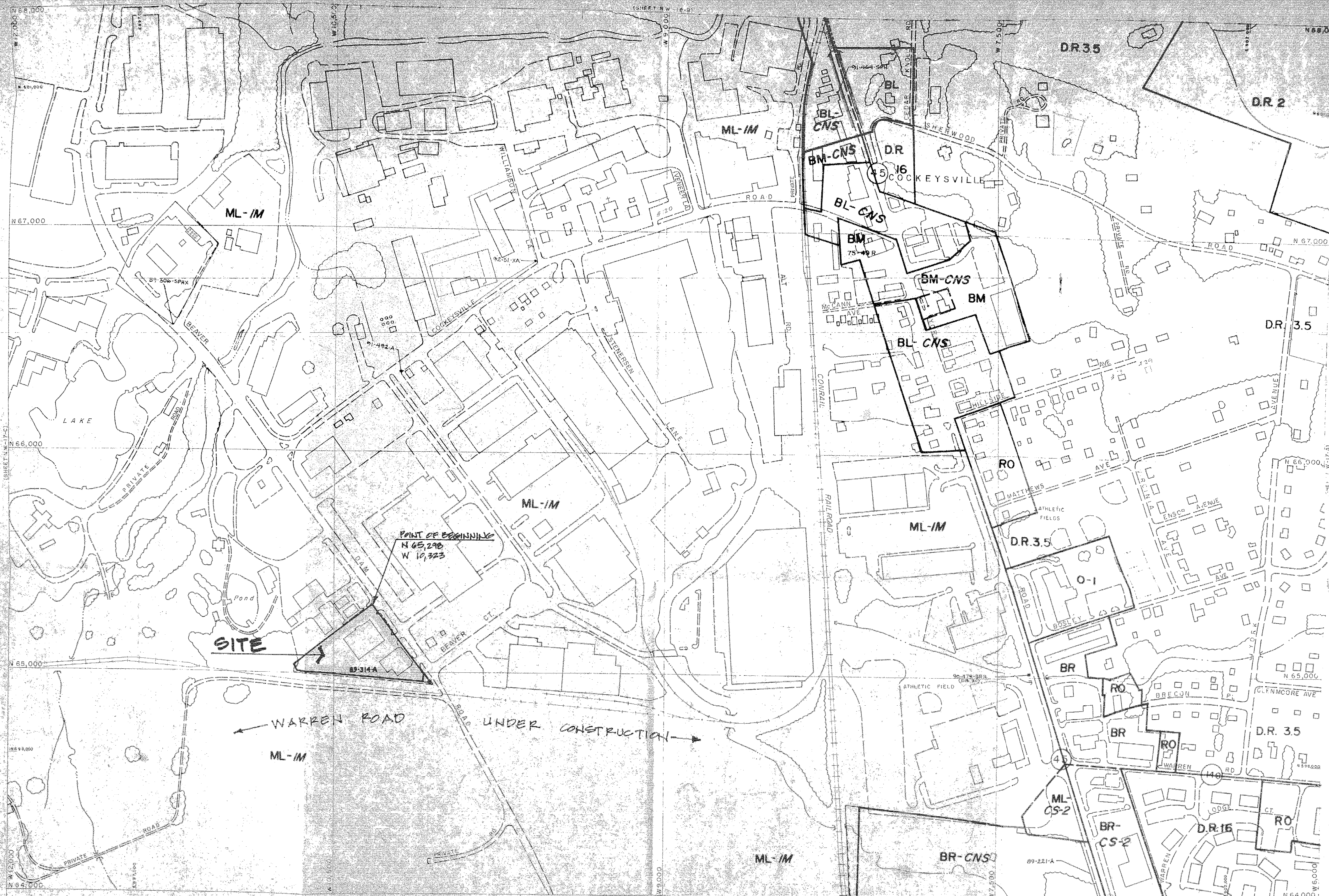


PLAN TO ACCOMPANY ZONING VARIANCE HEARING

ELLIOTT PROPERTY

8TH ELECTION DISTRICT, 3RD COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND

DATE	REVISIONS	JOB NO:
9.8.92	SITE DATA & NOTES	SCALE: 1" = 20'
10.9.92	REVISED LINE OF SUPERDIVISION + PARKING	DATE: 20 AUG 92
		DRAWN BY: SDB
		DESIGN BY: SDB
		REVIEW BY: SMH
		SHEET: 1 OF 1



V-NE

THIS MAP HAS BEEN DEvised IN SELECTED AREAS.  
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS  
 BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

1988 COMPREHENSIVE ZONING MAP  
 Adopted by the Baltimore County Council  
 Oct. 13, 1988  
 DM Nos. 144-88, 150-88, 176-88, 147-89, 147-89, 149-89, 150-89

# BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE

1" = 200'

DATE

OF

PHOTOGRAPHY

JANUARY

1986

LOCATION

COCKEYSVILLE

SHEET

N.W.

17-B

93-1437-A 142